

REMARKS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-4 and 6-8 are pending; Claims 5 and 9 are canceled without prejudice or disclaimer; Claim 1 is amended; and no claims are newly added herewith. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 1, 2, 5, 6, 8, and 9 were rejected under 35 U.S.C. § 102(e) as anticipated by Ochai et al. (U.S. Pat. No. 6,768,531, hereafter Ochai); Claims 1 and 7 were rejected under 35 U.S.C. § 102(e) as anticipated by Huh et al. (U.S. Patent Publication No. 2003/0218703); and Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ochai in view of Yanagawa et al. (U.S. Patent Publication No. 2002/0113936, hereafter Yanagawa).

With regard to the outstanding rejection of Claims 1, 2, 5, 6, 8, and 9 under 35 U.S.C. § 102(e) as anticipated by Ochai, that rejection is respectfully traversed. Independent Claim 1, as amended, recites in part:

the first pixel including a first color layer that has a first film thickness and mainly passes first color light, and the second pixel including a second color filter layer that has a second film thickness, which is greater than the first film thickness, and passes a second color light, the first color light having a wavelength that is greater than a wavelength of the second color light

Because these features were previously recited in Claims 5 and 9, it is respectfully submitted that no new matter is added by this amendment.

As set forth in the outstanding Office Action at page 4, Ochai describes that a spacer is disposed on a red pixel. However, in Ochai, a columnar space is not disposed on color pixels other than the red pixel. In other words, blue pixels and green pixels do not include

columnar space. As a result, Ochai describes a spacer on a pixel having a longer wavelength because wavelengths of green light and blue light are shorter than that of red light.

Accordingly, as Ochai fails to disclose or suggest the features recited in independent Claim 1, it is respectfully submitted that Claims 1, 2, 6, and 8 patentably distinguish over Ochai. It is therefore respectfully requested that this rejection be withdrawn.

Likewise, the outstanding rejection of Claims 3 and 4 under 35 U.S.C. § 103(a) is unpatentable over Ochai in view of Yanagawa is respectfully traversed.

Claims 3 and 4 depend from Claim 1. As noted above, Ochai does not disclose or suggest the features of Claim 1. Because Yanagawa is not relied upon to provide the features identified as deficient in Ochai, Yanagawa is not substantively addressed herewith.

Accordingly, as the combination of Ochai and Yanagawa does not provide a *prima facie* case of obviousness, it is respectfully requested that the outstanding rejection of Claims 3 and 4 be withdrawn.

With regard to the rejection of Claims 1 and 7 as anticipated by Huh, that rejection is respectfully traversed.

Huh et al do not show a spacer. According to the Examiner's indication, Huh et al describe in paragraph 0053 that columnar spacers are disposed at every pixel. However, there is no such description in the paragraph. Even if Huh et al disclose that the columnar spacers are disposed at every pixel, at which pixel with what type of gap the columnar spacers are preferable to be disposed is not disclosed. Accordingly, it is clear that the present invention, which describes the columnar spacers being disposed not at a first pixel with a large gap but at second pixel with a smaller second gap, differs from the invention in Huh et al. As a matter of course, the matters recited in amended Claim 1 also differ from Huh et al.

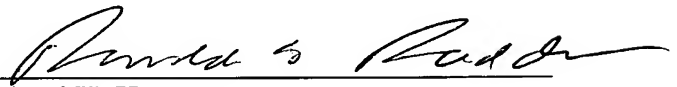
Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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